

Department of Permits and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

In the Matter of

Civil Citation No. 75520

Ricky Lynn Newman  
Melva Louise Newman

403 Patapsco Avenue

Respondents

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Baltimore County Code Enforcement Hearing Officer on August 18, 2010, for a Hearing on a citation for violations of the Baltimore County Zoning Regulations (BCZR) section 101, 102.1, 1B01.1, 428, failure to tag or remove two unlicensed motor vehicles on residential property zoned DR 5.5 known as 403 Patapsco Avenue, 21237.

On July 22, 2010, pursuant to § 3-6-205, Baltimore County Code, Inspector Jason Seidelman issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$2,000.00 (two thousand dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on April 9, 2010 for removal of untagged/inoperative motor vehicles from this residential property. This Citation was issued on July 22, 2010.

B. Photographs in the file show a dark colored Chevrolet Blazer and a red minivan, parked outside without license plates. Re-inspection on August 16, 2010 found the vehicles still on the property. County zoning regulations prohibit the outside storage of inoperative motor vehicles on a residential lot. BCZR Section 428.1(A). The outside storage of unlicensed motor vehicles is also prohibited, except for one vehicle per dwelling unit for a period not exceeding 15 days in any calendar year. Section 428.1(B). Respondent has exceeded this limitation. Respondent must put valid tags on the vehicle and make it operable, or remove it from the property.

C. Because compliance is the goal of code enforcement, the civil penalty will be reduced if the violations are corrected within the time provided below.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$500.00 (five hundred dollars).

IT IS FURTHER ORDERED that the civil penalty will be REDUCED to \$50.00 (fifty dollars) if the violations are corrected by September 13, 2010.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty, as authorized above, shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 20<sup>th</sup> day of August 2010

Signed: ORIGINAL SIGNED  
Margaret Z. Ferguson  
Baltimore County Hearing Officer